

Mail Stop Interference
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Paper 1
Filed: April 6, 2009

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Institut National de la Recherche Agronomique,
Junior Party
(Application 10/613,053
Inventors : Jun Imamura, Hideya Fujimoto, Ritsuko Yanagidate,
Nobuya Koizuka, Takako Sakai and Takahiko Hayakawa),

v.

BASF Plant Science GMBH , McGill University,
and DNA Landmarks, Inc.,
Senior Party
(Patent 7,314,971
Inventors: Fang-Ming Lai, Charles Dendy, Natasa Formanova,
Gregory G. Brown, Benoit S. Landry, Wing Cheung,
Hua Jin and Martin LaForest).

Patent Interference No. 105,682 (RES)
(Technology Center 1600)

DECLARATION - Bd.R. 203(b)

1 Part A. Declaration of interference

2 An interference is declared (35 U.S.C. § 135(a)) between the above-
3 identified parties. Details of the application(s), patent (if any), reissue
4 application (if any), count(s) and claims designated as corresponding or as
5 not corresponding to the count(s) appear in Parts D and E of this
6 DECLARATION.

7 Part B. Judge managing the interference

8 Administrative Patent Judge Richard E. Schafer has been designated
9 to manage the interference. Bd. R. 104(a).

10 Part C. Standing order

11 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies
12 this DECLARATION. The STANDING ORDER applies to this
13 interference.

14 Part D. Identification and order of the parties

15 Junior Party

16	Named inventors:	Jun Imamura
17		Hideya Fujimoto
18		Ritsuko Yanagidate
19		Nobuya Koizuka
20		Takako Sakai
21		Takahiko Hayakawa
22	Involved Application:	10/613,053 filed July 7, 2003
23	Title:	Protein Involved in Restoration of Cytoplasmic
24		Male Sterility to Fertility and
25		Gene Encoding the Protein and Gene
26	Assignee of Record:	Institut National de la Recherche Agronomique

1

2 The claims of the parties which correspond to Count 1 are:

3 Application 10/613,053: Claims: To be determined

4 Patent 7,314,971: Claims: To be determined

5 The claims of the parties which do not correspond to Count 1, and, therefore,
6 are not involved in the interference are:

7 Application 10/613,053: Claims: To be determined

8 Patent 7,314,971: Claims: To be determined

9 The parties are accorded the following benefit for Count 1:

10 Application 10/613,053: None

11 Patent 7,314,971: None

12 Part F. Heading to be used on papers

13 The following heading must be used on all papers filed in this

14 interference, see SO ¶ 106.1.1:

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Title of Paper

- 1 Part G. Order form for requesting file copies
- 2 When requesting copies of files, use of SO Form 4 will greatly
- 3 expedite processing of the request. Please attach a copy of Parts D and E of
- 4 this DECLARATION with a hand drawn circle around the patents and
- 5 applications for which a copy of a file wrapper is requested.

/Richard E. Schafer/
Administrative Patent Judge

Enc:
Copy of STANDING ORDER
Copy U.S. Patent 7,314,971
Copy of claims of 10/613,053

cc (via overnight delivery):

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